

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

MCKOY et al.,

Plaintiff

v.

THE TRUMP CORP. et al.,

Defendants

No. 1:18-cv-09936-LGS

Dated: January 4, 2024

T.E.,E. MR. RAJ K. PATEL'S SECOND AMENDED CONGRESSIONAL NOTICES

TO: THE HONORABLE UNITED STATES DISTRICT JUDGE SCHOFIELD:

I am writing to you today to publicly fulfill my duty under the misprision of felony statute, 18 U.S.C. § 4, to provide this notice that former President **Barack Obama** committed fraud of honest services against the United States where neither absolute sovereign immunity nor privileges govern. Erickson v. Pardus, 551 U.S. 89, 94 (2007) (all documents filed pro se are liberally construed). I am also writing to you today to publicly fulfill my duty under the misprision of treason statute, 18 U.S.C. § 2382, because Obama committed treason, at least petty treason, against the United States for the same reasons. I also wish this communication to serve as notices under the same misprision statutes that President Commander-in-Chief **Joe Biden**, Defendant Vice President President of the Senate Lieutenant Commander-in-Chief **Kamala Harris**, and Defendants Ambassador to the United Nations **Linda Thomas-Greenfield** and South Carolina Governor Ambassador to the United Nations **Nikki Haley** have committed civil, criminal, and military torts and crimes against the United States for intentional acts and omissions, strict culpability,

and negligent breaches of duty for the facts in the complaint and sister filings and under the laws herein. I also wish this communication to serve as notices under the same misprision statutes that Attorney General **Merrick Garland** has committed civil, criminal, and military torts and crimes against the United States for intentional acts and omissions, strict culpability, and negligent breaches of duty for proceeding to selectively, purposefully, knowingly, and with scienter prosecute President Donald J. Trump for lack of sufficient competent jurisdiction, i.e. the United States District Court for the Southern District of Florida, Trump v. United States, No. 9:22-cv-81294 (S.D. Fla. Dec. 12, 2022), Dkt. 199 (dismissed for lack of jurisdiction), remanded, No. 22-13005 (11th Cir. Dec. 1, 2022) (lack of competent jurisdiction because in the “headacy” the Attorney General does not have more constitutional authority than a former President; here, President Biden needed to personally bring the charges). <https://www.state.gov/wp-content/uploads/2022/02/United-States-Order-of-Precedence-February-2022.pdf>. 28 U.S.C. § 453 (an honorable court’s want of competent jurisdiction would be reviewed under clear error as an existential matter) (courts are common law and constitutional extensions of the Appointer, the President and former Presidents). United States v. Bershchansky, 788 F.3d 102, 110 (2d Cir. 2015). Hui Lin Huang v. Holder, 677 F.3d 130, 134 (2d Cir. 2012).

Then-T.H.,H. Obama committed **common law fraud** against the United States by attacking T.E.,Mrs. First Lady of AR,Mrs. First Lady of the United States,H. Hillary Clinton genitals on the Democratic Presidential Debate stage on January 5, 2005. The same facts also constitute **treason** by then-T.H.,H. Obama against the United States for breach of protocol for betrayal of trust. The same facts prove Obama committed **honest services fraud** against the United States when attacking Clinton over wire and television; Congress has categorized this **division of common law**

fraud in 18 U.S.C. § 1346. The same facts prove **attempt to commit honest services fraud** against the United States when attacking Clinton over wire and television. 18 U.S.C. § 1349. For the material time, Obama and Clinton were a part of the Democratic National Committee Services Corporations, a private corporation with its own ordered hierarchy. Belhas v. Ya'alon, 515 F.3d 1279, 1286 (D.C. Cir. 2008).¹ Obama was a “responsible person” to the DNC as he used its brand and power to become an Illinois State Senator, a United States Senator, and compete for the United States President from the DNC; therefore, Obama may be held accountable for the DNC’s ordered corporate hierarchy, including by my notice and the ministerial duties the DNC and its actors owe the United States of fully faithfully turning them in for breach of public acts, protocol. Jefferson v. United States, 459 F. Supp. 2d 685, 691 (N.D. Ill. 2006).² Therefore, the **United States Religious Freedom Restoration Act** demands, per 42 U.S.C. § 2000bb-3(a) as a standard of conduct, that the United States press criminal charges against Obama because it unlawfully restricts the free exercise of religion of those who want to get back at Obama, including Mrs. Clinton, for their own religious reason, including *adharma* or sin, and restricts the free exercise of religion of those not in office versus those not in office or government. U.S. const. amend. XIV, § 1 (enforced by U.S. const. amend. XIV, § 5 and 42 U.S.C. §§ 2000bb et seq.). The United States needs to

¹ Belhas v. Ya'alon, 515 F.3d 1279, 1286 (D.C. Cir. 2008) (“the corporation and the state have at all times been entities wholly separate and distinguishable from each other and able to act without the presence or even existence of the other. This does not define the relationship between the state and its officials. *While it is true, indeed obvious, that the official has an existence independent of the state, the state does not act independently of its agents. Every act committed by a sovereign government is carried out by its officials and agents.*”) (italics added).

² United States v. Taystee Baking Co., 55 F. Supp. 490, 493 (N.D. Tex. 1944) (“There is no doubt a feeling widely indulged among our people that our government desires nothing unfair against one of its citizens, and that when it comes into court that fact alone should carry great weight. However, the government can only act through its agents, and those agents are but human.”).

protect society and its governmental corporation, the DNC Services Corporation, because a decision to the contrary to pressing charges against Obama will also be apolitical and against the highest clauses of the United States Constitution³, the ones about Privileges and Immunities,⁴ or status alone, through its vested constitutional duties and powers to press common law crimes. Poindexter v. Greenhow, 114 U.S. 270, 290 (1884) (state affairs).⁵ See also 42 U.S.C. § 1982 (political office titles/styles are real property, which may only duly revert to the Constitution). Novelty, Inc. v. D.E.A., 571 F.3d 1176, 1199 (D.C. Cir. 2009) (THOMAS PAINE, COMMON SENSE 31-32 (Dover Thrift ed., 1997) (1776) ("[L]et a crown be placed thereon, by which the world may know, that so far as we approve of monarchy, that in America THE LAW IS KING. For as in absolute governments the king is law, so in free countries the law ought to be king; and there ought to be

³ See e.g., Rubin v. United States, 525 U.S. 990, 990-91 (U.S. 1998) (Breyer, J., dissenting from denial of cert.) ("The physical security of [an honorable or an excellent] has a special legal role to play in our constitutional system."). Id. at 995 (but for privileges, there would be a loss of trust in enforcement). Federalist 80 ("citizen" presidency). Inst. v. U.S. Dep't of Comm., 513 F. Supp. 3d 116, 123 (D.D.C. 2021) ("The privilege is "fundamental to the operation" of the federal government as it permits the "effective discharge of a President's powers."). Liles v. United States, 638 F. Supp. 963, 965 (D.D.C. 1986) ("one of [his] responsibilities [was] to enforce law and order and to convey an image of trust and safety.").

⁴ Velasquez v. Frapwell, 994 F. Supp. 993, 1001-02 (S.D.I.N. 1998) (citing Lichter v. United States, 334 U.S. 742, 779 (1948) ("In peace or in war, it is essential that the Constitution be scrupulously obeyed, and particularly that the respective branches of the Government keep within the powers assigned to each by the Constitution."). Future Forest, LLC v. Sec'y of Arigc., 849 F. App'x 922, 926 (Fed. Cir. 2021). Prout v. Starr, 188 U.S. 537, 537 (1903) ("The Constitution of the United States, with the several amendments thereof, must be regarded as one instrument, all of whose provisions are to be deemed of equal validity.").

⁵ United States v. Nordean, No. 1:21-cr-00175-TJK, 2022 WL 17583799 (D.D.C. Dec. 11, 2022) ("That all said, [Defendant] is right that it is impossible to use force against "the authority of government" or "the execution of the laws" in a metaphysical sense. The United States Government can act only through its agents."). Pennsylvania v. Nelson, 350 U.S. 497, 517 (1956) (national and local interests include showing that there is "dominant interest" is to ensure there is no sedition).

no other.".). Therefore, Obama's behavior also constituted **criminal negligence** for all of these reasons under civilian and military law, **strict, intentional, and negligent breach of ministerial⁶ duty**, against the United States. Nixon v. Sampson, 389 F. Supp. 107, 148 (D.D.C. 1975) ("state affairs"; privilege creates duties for others). The same actions constitute **criminal breach of oath**, a ministerial duty too. 5 U.S.C. § 3331. Obama's behavior is actionable for the same facts under **military law** because Clinton is not only a T.E. (a sovereign title of the Basis per the peace treaty of the Glorious Revolution) but also a First Lady, both titles which are *de jure* members of the military, i.e. military dereliction of duty, breach of oath, *mala in se*, *mala prohibita*, intimidation, **breach of the law politician**, and high public offense crime. <https://www.state.gov/wp-content/uploads/2022/02/United-States-Order-of-Precedence-February-2022.pdf>. 10 U.S.C. Ch. 47. See e.g., State v. Horton, 51 S.E. 945, 946 (N.C. 1905). <https://www.parliament.uk/globalassets/documents/commons-information-office/g04.pdf> at 6-7. Cf. McDonald v. City of Chicago, 561 U.S. 742, 762 (2010). Nevertheless, Obama's behavior for the same facts constituted **criminal and civil breach of due process** and deprived Clinton of her comity with Obama including with due process duties owed to her as state title and rank as First Lady. U.S. const. amend. XIV, § 1. Duncan v. Louisiana, 391 U.S. 145, 151 (1968); Rochin v. California, 342 U.S. 165, 169 & 177 (1952); and Adamson v. California, 332 U.S. 46, 69 & 86 (1947). Martinez v. McAleenan, 385 F. Supp. 3d 349, 356 & 364 (S.D.N.Y. 2019). Quill v. Koppell, 870 F. Supp. 78, 83 (S.D.N.Y. 1994). Hudson Valley Black Press v. Internal Rev. Serv., 307 F.Supp.2d 543, 547 n. 6 (S.D.N.Y. Mar. 3,

⁶ Hastings v. Judicial Conf. of United States, 593 F. Supp. 1371, 1379 (D.D.C. 1984) (Framers trifurcated the Westminster's ministerial powers into the interdependent powers of three (3) separate branches of government).

2004). Galella v. Onassis, 353 F. Supp. 196 (S.D.N.Y. 1972) (First Lady Jackie O.; "It has been cogently suggested that the right to privacy proscribes dehumanizing conduct which assaults 'liberty, personality and self-respect.' Fried, Privacy, 77 Yale L.J. 475, 485 (1968)."), aff'd in part, 487 F.2d 986, 994 (2d Cir. 1973) ("insinuated himself into the very fabric of [First Lady Jackie O.'s] life..."). Id. at 995 (like here, photographer's competing liberties and public interests are insufficient against First lady Jackie O.'s). Cf. Id. at 993 (citing Bivens v. Six Unknown Named Agents of Fed. Bur. of Narc., 456 F.2d 1339 (2d Cir. 1972)) (governmental agents pursuing their federal duties), rev'd & remanded, 403 U.S. 388, 396-7 (1971) ("federal courts may use any available remedy to make good the wrong done"). Cf. Missouri v. Biden, No. 3:22-CV-01213, 2023 WL 4335270 (W.D. La. July 4, 2023).

Obama did not play fairly, and acted out of scope of protected free speech, when he attacked Clinton's genitals and made sly and artistic innuendos of Clinton's husband's, President Bill Clinton's penis and his constitutional-American sex habits too. U.S. const. art. IV, § 1. Both Obama and Clinton (by marriage to President Clinton, too) are of royal heritage and class, and Obama knew better than to use this type of unreasonable, unconversational speech. Gonzales v. United States, 348 U.S. 407, 412 (1955) ("underlying concepts of procedural regularity and basic fair play"). Their class's values caused this constitutional structure of protocol, of which Obama also unlawfully breached. Avello v. Hammons, 963 F. Supp. 262, 269 (S.D.N.Y. 1997) (First Lady's privacy interests). Hallwood Realty Partners, L.P. v. Gotham Partners, 104 F. Supp. 2d 279, 287 (S.D.N.Y. 2000) ("shocks the conscience" and "interferes with the rights 'implicit in the concept of ordered liberty.'"). Hopkins Hawley LLC v. Cuomo, 518 F. Supp. 3d 705, 715 (S.D.N.Y. 2021)

and Martinez v. McAleenan, 385 F. Supp. 3d 349, 356 (S.D.N.Y. 2019). See generally Rhem v. Malcolm, 371 F. Supp. 594 (S.D.N.Y. 1974).

DEMOCRATIC PRESIDENTIAL DEBATE

January 5, 2008

<https://www.youtube.com/watch?v=K3DeCLPwxXI>

PERSON

STATEMENTS

News Anchor: "My question to you is simply this: What can you say to voters of New Hemisphere, on this stage, tonight, who see your resume and like it, but are hesitating on the 'likability' issue where they seem to like Barack Obama more?"

Clinton, JD: "Well, that hurts my feelings."

News Anchor: "I sorry, senator. I'm sorry."

Clinton, JD: "But, I'll try to go on. He's very likeable. I agree with that. I don't think I'm that bad."

Obama, JD: "Ah, You're likable enough, Hillary, don't worry..."

[Interpreted as]: *I think her vagina is likeable enough. Bill's penis is likeable enough too.*

The United States: I understand through constitutional objectivity. U.S. const. art. VI, § 1 (referring to the Grievance 20, Decl. of Indep. (1776)). There is one language. Id. I represent all. I know what you said. I prosecute on behalf of all people.

[Interpreted as]: *Obama broke protocol, by sexually battering Clinton, and defrauded to me.*

Clinton, JD: "I appreciate that."

[Interpreted as]: *Well, thank you, United States, for protecting my character, finally. My ordered Liberty!*

First ladies carry the titles of honor and are “figure heads” of the State. However, as Chief of State, the President ranks-and-files all titles of honor and titles of authority according to precedent, protocol, the State’s predominant law. <https://www.state.gov/wp-content/uploads/2022/02/United-States-Order-of-Precedence-February-2022.pdf>. Therefore, metaphorically, at least, persons of lower titles must bow or curtesy to powers of higher titles. That is also to say that a person of lower title may not attack a person of higher title regardless of the situation. Assuming the rule of necessity applied, Obama’s conduct was not in the scope of justification of such action because his good name was not on the line. Dun & Bradstreet, Inc. v. Greenmoss Builders, Inc., 472 U.S. 749, 758, 769, & 787 (1985) (“his own good name”; “ordered liberty”). Enough people have witnessed this matter over the television and in public. Therefore, this independent court, which may not make favorable arguments for the United States or its delegates, should press criminal charges against Obama for common law fraud (which encompasses honest services fraud), treason, honest services fraud, and military crimes.

The executive and judicial branch of government should use its vested powers from constitution’s text, especially because Congress’ highest statute requires this court and the executive constitutionalize, under the highest standard of conduct, including but not limited while using the completion powers as envisioned by Chief Justice Vinson, this matter at the risk to preventing the free exercising of religion. U.S. const. amend. XIV, § 1 (enforced by U.S. const. amend. XIV, § 5 and 42 U.S.C. §§ 2000bb et seq.). Gubarev v. Buzzfeed, Inc. (In re Third Party Subpoena to Fusion GPS), 292 F. Supp. 3d 307 (D.D.C. 2018). https://constitution.congress.gov/browse/essay/artIV-S2-C1-4/ALDE_00013780/ and https://constitution.congress.gov/browse/essay/artII-S1-C1-1/ALDE_00013790/. Marbury v. Madison, 5 U.S. 137, 147 & 163 (1803). And, accordingly,

as state players, this court may communicate a need to **investigate, censure, or impeach** or press charges for **criminal contempt of Congress** by Obama to either or both chambers of Congress, as the misprision statutes create an implied duty, and *Ordered Liberty and Bivens*, 403 U.S. at 397 demands the same. *Comm. on Judiciary v. McGahn*, 415 F. Supp. 3d 148, 173, 177, 186 (D.D.C. 2019) (Brown Jackson, J., op.) (citing *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579, 635 (1952) (Jackson, J., concurring) (“While the Constitution diffuses power to better secure liberty, it also contemplates that practice will integrate the dispersed powers into a workable government. It enjoins upon its branches separateness but interdependence, autonomy but reciprocity.”). The same communications should be sent for Biden, Harris, Haley, Thomas-Greenfield, and Garland.

Please feel free to contact me through the information provided below with any questions or comments, including but not limited to, Obama, Clinton, Biden, Harris, Haley, Thomas-Greenfield, Garland, and the breach of Presidential contract of the arms industry. Compl.

Respectfully submitted, The Basis of the United States,

Rama CCCX
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Deputy Regional Director, Young Democrats of Am.-High Sch. Caucus 2008-2009
Co-Founder & Vice Chair, Ind. High Sch. Democrats 2009-2010
Vice President of Fin. (Indep.), Oxford C. Republicans of Emory U., Inc. 2011-2012
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CERTIFICATE OF SERVICE

I certify that I served a copy of the foregoing *Pro Se* Amended Congressional Notices on 12/4/2024 to below individuals via e-mail and the Clerk of Court:

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Respectfully submitted,

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Dated: January 4, 2023